

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<b>RAS Citron, LLC</b> 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number 973-575-0707 Attorneys For Secured Creditor  Laura Eggerman, Esq. (LE-8250)	CASE NO.: 17-10017-JKS  CHAPTER 13
<b>In Re:</b>  <b>Cristobal Collado,</b>  <b>Debtor.</b>	

**OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 15), and states as follows:

1. Debtor, Cristobal Collado, filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on January 2, 2017.
2. Secured Creditor holds a security interest in the Debtor's real property located at 35 E. 17TH STREET, PATERSON, NJ 07524, by virtue of a Mortgage recorded on October 19, 2007 at Instrument number 2007079306 of the Public Records of Passaic County, NJ. Said Mortgage secures a Note in the amount of \$360,000.00.
3. The Debtor filed a Chapter 13 Plan on January 30, 2017.
4. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$4,798.54, whereas the Plan proposes to pay \$0.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$4,798.54 as the pre-petition arrearage over the life of the plan.

5. Pursuant to the loan documents, the regular monthly mortgage payment due is \$2,572.64, not \$2,423.86, as indicated in the Plan. Further, the monthly payment may be subject to periodic adjustments for escrow and/or variable interest rates, thus requiring amendment during the pendency of the Plan. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. § 1325(a)(5) and cannot be confirmed. Secured Creditor objects to the Plan and to any plan which does not appropriately provide for the correct regular monthly mortgage payment.

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Citron, LLC  
Attorney for Secured Creditor  
130 Clinton Road, Suite 202  
Fairfield, NJ 07004  
Telephone Number 973-575-0707

By: /s/Laura Egerman  
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NJ Bar Number: LE-8250  
Email: legerman@rasnj.com

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**CERTIFICATION OF SERVICE**

1. I, Laura Egerman, represent FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") in this matter.
2. On 3/28/2017, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below:  
**Objection to Confirmation of Debtor's Chapter 13 Plan**
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

3/28/2017

RAS Citron, LLC  
Attorney for Secured Creditor  
130 Clinton Road, Suite 202  
Fairfield, NJ 07004  
Telephone Number 973-575-0707

By: /s/Laura Egerman  
Laura Egerman, Esquire  
NJ Bar Number: LE-8250  
Email: legerman@rasnj.com

Name and Address of Party Served	Relationship of Party to Case	Mode of Service
Stuart D. Gavzy, Esq. 8171 E. Del Barquero Drive Scottsdale, AZ 85258	Debtor(s) Attorney	<input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by court*)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 230 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-Mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by court*)
Cristobal Collado 76 Chestnut Street Paterson, NJ 07504	Debtor(s)	<input type="checkbox"/> Hand Delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-Mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by court*)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.